

§ 401.90

(1) The vessel is not equipped in accordance with §§ 401.6 to 401.21 and subsections (e) to (j) of Schedule I of subpart A of this part when transiting the Canadian waters of the Seaway;

(2) The vessel, its cargo, equipment or machinery are in a condition that will prevent safe or expeditious transit by that vessel; or

(3) The vessel is manned with a crew that is incompetent or inadequate.

[39 FR 10900, Mar. 22, 1974, as amended at 61 FR 19552, May 2, 1996]

§ 401.90 Boarding for inspection.

For the purpose of enforcing the regulations in this part, an officer may board any vessel and:

(a) Examine the vessel and its cargo; and

(b) Determine that the vessel is adequately manned.

§ 401.91 Removal of obstructions.

The Corporation or the Authority may, at the owner's expense, move any vessel, cargo, or thing that obstructs or hinders transit on any part of the Seaway.

[61 FR 19552, May 2, 1996]

§ 401.92 Wintering and lying-up.

No vessel shall winter within the Seaway or lie-up within the Seaway during the navigation season except with the written permission of the Corporation or the Authority and subject to the conditions and charges that may be imposed.

§ 401.93 Access to Seaway property.

(a) Except as authorized by an officer, no person shall load or unload goods on property of the Corporation or the Authority.

(b) Except as authorized by an officer or by the *Shore Traffic Regulations*, no person shall enter upon any land or structure of the Corporation or the Authority or swim in any Seaway canal or lock area.

§ 401.94 Keeping copy of regulations.

A copy of these Regulations (subpart A of Part 401), a copy of the vessel's latest Ship Inspection Report, and Seaway Notices for the current navigation

33 CFR Ch. IV (7-1-99 Edition)

year shall be kept on board every vessel in transit.

[61 FR 19552, May 2, 1996]

§ 401.95 Compliance with regulations.

The master or owner of a vessel shall ensure that all requirements of these Regulations applicable to that vessel are complied with.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[45 FR 52380, Aug. 7, 1980]

NAVIGATION CLOSING PROCEDURES

§ 401.96 Definitions.

In § 410.97:

(a) *Clearance date* means the date designated in each year by the Corporation and the Authority as the date by which vessels must report at the applicable calling in point referred to in § 401.97(c) for final transit of the Montreal-Lake Ontario Section of the Seaway;

(b) *Closing date* means the date designated in each year by the Corporation and the Authority as the date on which the Seaway is closed to vessels at the end of the navigation season;

(c) *Closing period* means the period that commences on the date designated in each year by the Corporation and the Authority as the date on which the closing procedures in § 401.97 apply and that ends on the closing date;

(d) *Montreal-Lake Ontario Section of the Seaway* means the portion of the Seaway between the Port of Montreal and mid-Lake Ontario;

(e) *Wintering vessel* means a vessel that enters the Seaway upbound after a date designated each year by the Corporation and the Authority and transits above Port Colborne.

(68 Stat. 92-97, 33 U.S.C. 981-990, as amended and sec. 104, Pub. L. 95-474, sec. 2, 92 Stat. 1472; 68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[47 FR 51124, Nov. 12, 1982]

§ 401.97 Closing procedures.

(a) No wintering vessel shall return downbound through the Montreal-Lake Ontario Section of the Seaway in the

same navigation season in which it entered the Seaway unless the transit is authorized by the Corporation and the Authority.

(b) No vessel shall transit the Montreal-Lake Ontario Section of the Seaway during the closing period in a navigation season unless

(1) It reports at the applicable calling in point referred to in paragraph (c) of this section on or before the clearance date in that navigation season; or

(2) It reports at the applicable calling in point referred to in paragraph (c) of this section within a period of 96 hours after the clearance date in that navigation season, it complies with the provisions of the agreement between Canada and the United States, known as the St. Lawrence Seaway Tariff of Tolls and the transit is authorized by the Corporation and the Authority.

(c) For the purposes of paragraph (b) of this section, the calling in point is,

(1) In the case of an upbound vessel, Cape St. Michel; and

(2) In the case of a downbound vessel, Cape Vincent.

(d) No vessel shall transit the Montreal-Lake Ontario Section of the Seaway after the period of 96 hours referred to in paragraph (b)(2) of this section unless the transit is authorized by the Corporation and the Authority.

(e) Every vessel that, during a closing period, enters the Montreal-Lake Ontario Section of the Seaway, upbound or downbound, or departs upbound from any port, dock, wharf or anchorage in that Section shall,

(1) At the time of such entry or departure, report to the nearest Seaway station the furthestmost destination of the vessel's voyage and any intermediate destinations within that Section; and

(2) At the time of any change in those destinations, report such changes to the nearest Seaway station.

(f) Where ice conditions restrict navigation during a closing period,

(1) No upbound vessel that has a power to length ratio of less than 24:1 (kW/meter) and a forward draft of less than 50 dm, and

(2) No downbound vessel that has a power to length ratio of less than 15:1 (kW/meter) and a forward draft of less than 25 dm shall transit between the

St. Lambert Lock and the Iroquois Lock of the Montreal-Lake Ontario Section of the Seaway.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[47 FR 51124, Nov. 12, 1982, as amended at 48 FR 20691, May 9, 1983; 48 FR 39934, Sept. 2, 1983]

SCHEDULE I TO SUBPART A—VESSELS TRANSITING U.S. WATERS

No vessel of 1600 gross tons or more shall transit the U.S. waters of the St. Lawrence Seaway unless it is equipped with the following maneuvering data and equipment:

(a) Charts of the Seaway that are currently corrected and of large enough scale and sufficient detail to enable safe navigation. These may be published by a foreign government if the charts contain similar information to those published by the U.S. Government.

(b) U.S. Coast Guard Light List, currently corrected.

(c) Current Seaway Notices Affecting Navigation.

(d) The following maneuvering data prominently displayed on a fact sheet in the wheelhouse:

(1) For full and half speed, a turning circle diagram to port and starboard that shows the time and distance of advance and transfer required to alter the course 90 degrees with maximum rudder angle and constant power settings;

(2) The time and distance to stop the vessel from full and half speed while maintaining approximately the initial heading with minimum application of rudder;

(3) For each vessel with a fixed propeller, a table of shaft revolutions per minute, for a representative range of speeds, and a notice showing any critical range of revolutions at which the engine designers recommend that the engine not be operated on a continuous basis.

(4) For each vessel that is fitted with a controllable pitch propeller, a table of control settings for a representative range of speeds;

(5) For each vessel that is fitted with an auxiliary device to assist in maneuvering, such as a bow thruster, a table of vessel speeds at which the auxiliary device is effective in maneuvering the vessel;

(6) The maneuvering information for the normal load and normal ballast condition for:

(A) Calm weather—wind 10 knots or less, calm sea;

(B) No current;

(C) Deep water conditions—water depth twice the vessel's draft or greater; and

(D) Clean hull.

Pt. 401, Subpt. A, Sch. II

33 CFR Ch. IV (7–1–99 Edition)

(7) At the bottom of the fact sheet, the following statement:

“WARNING

The response of the (name of the vessel) may be different from the above if any of the following conditions, on which the maneuvering is based, are varied:

- (a) Calm weather—wind 10 knots or less, calm sea;
- (b) No current;
- (c) Deep water conditions—water depth twice the vessel's draft or greater;
- (d) Clean hull;
- (e) Intermediate drafts or unusual trim.”
- (e) Illuminated magnetic compass at main steering station with compass deviation table, graph or record.
- (f) Gyro-compass with illuminated gyro-repeater at main steering station.
- (g) Marine radar system for surface navigation. Additionally, vessels of 10,000 gross

tons or more must have a second main radar system that operates independently of the first.

- (h) Efficient echo sounding device.
- (i) Illuminated rudder angle indicator or repeaters that are:
 - (1) Located in the wheelhouse;
 - (2) Arranged so that they can easily be read from any position on the bridge.
- (j) Illuminated indicator showing the operating mode of that device when vessel is equipped with auxiliary maneuvering devices.

(68 Stat. 93–96, 33 U.S.C. 981–990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95–474, 92 Stat. 1471)

[45 FR 52380, Aug. 7, 1980, as amended at 47 FR 51124, Nov. 12, 1982; 49 FR 30936, Aug. 2, 1984; 61 FR 19552, May 2, 1996]

SCHEDULE II TO SUBPART A—TABLE OF SPEEDS ¹

From—	To—	Maximum speed over the bottom, knots	
		Col. III	Col. IV
1. Upper Entrance, South Shore Canal.	Lake St. Louis, Buoy A13	10.5	10.5.
2. Lake St. Louis, Buoy A13	Lower Entrance, Lower Beauharnois Lock.	16	16.
3. Upper Entrance, Upper Beauharnois Lock.	Lake St. Francis, Buoy D3	9 upb; 10.5 dnb	9 upb; 10.5 dnb.
4. Lake St. Francis, Buoy D3	Lake St. Francis, Buoy D49	12	12.
5. Lake St. Francis, Buoy D49	Snell Lock	8.5 upb; 10.5 dnb	8 upb; 10.5 dnb.
6. Eisenhower Lock	Iroquois Lock	11.5	10.5.
7. Iroquois Lock	McNair Island, Lt. 137	13	10.5.
8. McNair Island, Lt. 137	Deer Island, Lt. 186	11.5	10.5.
9. Deer Island, Lt. 186.. ..	Bartlett Point, Lt. 227	8.5 upb; 10.5 dnb	8 upb; 10.5 dnb.
10. Bartlett Point, Lt. 227	Tibbetts Point	13	10.5.
11. Junction of Canadian Middle Channel and Main Channel abreast of Ironsides Island.	Open Waters between Wolfe and Howe Islands through the said Middle Channel.	9.5	9.5.
12. Port Robinson	Ramey's Bend through the Welland Bypass.	8	8.
13. All other canals .....	.....	6	6.

¹Maximum speeds at which a vessel may travel in identified areas in both normal and high water conditions are set forth in this schedule. The Corporation and the Authority will, from time to time, designate the set of speed limits which is in effect.

[61 FR 19552, May 2, 1996]

SCHEDULE III TO SUBPART A—CALLING-IN TABLE

C.I.P. and checkpoint	Station to call	Message content
UPBOUND VESSELS		
1. C.I.P. 2—entering Sector 1 (order of passing through established): (a) Vessels transiting from the Lower St. Lawrence River.	Seaway Beauharnois, channel 14.	1. Name of vessel. 2. Location. 3. Destination. 4. Drafts, fore and aft. 5. Cargo. 6. Manifested dangerous cargo—nature and quantity; IMO classification; location where dangerous cargo is stowed. 7. Pilot requirement—Lake Ontario. 8. Confirm pilot requirement—Upper Beauharnois Lock (inland vessels only).
(b) Vessels in Montreal Harbor, dock, berth or anchorage: (i) Before getting under way .....	.....do	1. Name of vessel. 2. Location. 3. Destination. 4. Drafts, fore and aft. 5. Cargo. 6. Manifested dangerous cargo—nature and quantity; IMO classification; location where dangerous cargo is stowed. 7. Pilot requirement—Lake Ontario. 8. Confirm pilot requirement—Upper Beauharnois Lock (inland vessels only).
(ii) C.I.P. 2—entering Sector 1 (order of passing through established).	.....do	1. Name of vessel. 2. Location.
2. C.I.P. 3—order of passing through established ....	.....do	1. Name of vessel. 2. Location.
3. Exiting Upper Beauharnois Lock .....	.....do	1. Name of vessel. 2. Location. 3. ETA C.I.P. 7. 4. Confirm pilot requirement—Snell Lock (inland vessels only).
4. C.I.P. 7—leaving sector 1 .....	.....do	1. Name of vessel. 2. Location.
5. C.I.P. 7—entering sector 2	Seaway Eisenhower, channel 12.	1. Name of vessel. 2. Location. 3. Destination. 4. Drafts, fore and aft. 5. Cargo. 6. ETA Snell lock.
6. C.I.P. 8—order of passing through established ....	.....do	1. Name of vessel. 2. Location.
7. C.I.P. 8A .....	.....do	1. Name of vessel. 2. Location. 3. ETA C.I.P. 11. 4. Confirm pilot requirement—Lake Ontario. 5. 1st U.S. port of call. 6. ETA 1st U.S. port of call.
8. Exiting Eisenhower Lock .....	.....do	1. Name of vessel and call sign. 2. Location. 3. ETA C.I.P. 11.
9. C.I.P. 11—leaving sector 2 .....	.....do	1. Name of vessel. 2. Location.
10. C.I.P. 11—entering sector 3	Seaway Iroquois, channel 11.	1. Name of vessel. 2. Location.
11. C.I.P. 12—order of passing through established	.....do	1. Name of vessel. 2. Location.
12. Exiting Iroquois lock .....	.....do	1. Name of vessel. 2. Location. 3. ETA Cross Over Island.
13. Cross Over Island—leaving sector 3 .....	.....do	1. Name of vessel. 2. Location.
14. Cross Over Island—entering sector 4	Seaway Clayton, channel 13.	1. Name of vessel. 2. Location. 3. ETA Cape Vincent or River Port.
15. Whale back Shoal—Con .....	.....do	4. Confirm pilot requirement—Lake Ontario.

SCHEDULE III TO SUBPART A—CALLING-IN TABLE—Continued

C.I.P. and checkpoint	Station to call	Message content
16. Wolfe Island Cut (Beauvais Point)—vessels leaving main channel.	.....do	1. Name of vessel. 2. Location. 3. ETA Kingston.
17. Cape Vincent .....	.....do	1. Name of vessel. 2. Location. 3. ETA Sodus Point. 4. ETA Port Weller (C.I.P. 15) or Lake Ontario Port. 5. Pilot requirement—Port Weller.
18. Sodus Point	Seaway Sodus, channel 13.	1. Name of vessel. 2. Location. 3. ETA mid-Lake Ontario. 4. ETA Newcastle.
19. Mid Lake Ontario—entering Sector 5	Seaway Newcastle, channel 11.	1. Name of Vessel. 2. Location. 3. Manifested dangerous cargo, including: —nature and quantity. —IMO classification. —location where dangerous cargo is stowed. and, if proceeding to Welland Canal, 4. Destination. 5. Drafts, fore and aft. 6. Cargo. 7. Pilot requirement—Lake Erie.
20. Mid-Lake Ontario—entering sector 5 .....	.....do	1. Name of vessel. 2. Location.
21. Newcastle .....	.....do	1. Name of Vessel. 2. Location.
22. C.I.P. 15—order of passing through established Port Colborne piers	Seaway Welland, channel 14. do	1. Name of vessel. 2. Location. 3. Destination. 4. Drafts, fore and aft. 5. Cargo. 6. Pilot requirement—Lake Erie.
23. C.I.P. 16	Seaway Long Point, channel 11.	1. Name of vessel. 2. Location.
24. Long Point—leaving sector 7 .....	.....do	1. Name of vessel. 2. Location.
DOWNBOUND VESSELS		
29. Long Point—entering Sector 7	Seaway Long Point, channel 11.	1. Name of Vessel. 2. Location. 3. ETA C.I.P. 16 or Port. 4. Manifested dangerous cargo, including: —nature and quantity. —IMO classification. —location where dangerous cargo is stowed. and, if proceeding to Welland Canal, 5. Destination. 6. Drafts, fore and aft. 7. Cargo. 8. Pilot requirement—Lake Ontario.
30. C.I.P. 16—order of passing through established	Seaway Welland, channel 14.	1. Name of Vessel. 2. Location.
31. Exiting lock No. 1, Welland Canal .....	.....do	1. Name of vessel 2. Location. 3. ETA Newcastle. 4. ETA Cape Vincent or Lake Ontario Port. 5. Pilot requirement—Cape Vincent.
32. C.I.P. 15	Seaway Newcastle, channel 11.	1. Name of vessel. 2. Location.
33. Newcastle .....	.....do	1. Name of vessel. 2. Location. 3. ETA mid-Lake Ontario. 4. ETA Sodus Point.
34. Mid-Lake Ontario—leaving sector 5 .....	.....do	1. Name of vessel. 2. Location.

SCHEDULE III TO SUBPART A—CALLING-IN TABLE—Continued

C.I.P. and checkpoint	Station to call	Message content
35. Mid Lake Ontario—entering Sector 4	Seaway Sodus, channel 13.	1. Name of vessel. 2. Location. 3. Manifested dangerous cargo—nature and quantity; IMO classification; location where dangerous cargo is stowed.
36. Sodus Point .....	.....do	1. Name of vessel. 2. Location. 3. Destination. 4. Drafts, fore and aft. 5. Cargo. 6. Updated ETA Cape Vincent or Lake Ontario Port. 7. Confirm river pilot requirement—Cape Vincent. 8. Pilot requirement—Snell Lock and/or Upper Beauharnois Lock (inland vessels only).
37. Cape Vincent	Seaway Clayton, channel 13.	1. Name of vessel 2. Location. 3. ETA Cross Over Island or river port.
38. Wolfe Island Cut (Quebec Head)—vessels entering main channel.	.....do	1. Name of vessel. 2. Location. 3. ETA Cross Over Island or river port.
39. Cross Over Island—leaving sector 4 .....	.....do	1. Name of vessel. 2. Location.
40. Cross Over Island—entering sector 3	Seaway Iroquois, channel 11.	1. Name of vessel. 2. Location. 3. Destination. 4. Drafts, fore and aft. 5. Cargo.
41. C.I.P. 14 .....	.....do	1. Name of vessel. 2. Location.
42. C.I.P. 13—order of passing through established	.....do	1. Name of vessel. 2. Location.
43. Exiting Iroquois Lock .....	.....do	1. Name of vessel. 2. Location. 3. ETA C.I.P. 10. 4. Harbor or river pilot requirement—St. Lambert. 5. Confirm pilot requirement—Snell Lock (inland vessels only).
44. C.I.P. 10—leaving sector 3 .....	.....do	1. Name of vessel. 2. Location.
45. C.I.P. 10—entering sector 2	Seaway Eisenhower, channel 12.	1. Name of vessel. 2. Location.
46. C.I.P. 9—order of passing through established ..	.....do	1. Name of vessel. 2. Location. 3. ETA Snell lock.
47. Exiting Snell lock .....	.....do	1. Name of vessel. 2. Location. 3. ETA C.I.P. 6.
48. Buoy D47 Lake St. Francis .....	.....do	1. Name of vessel. 2. Location. 3. Confirm pilot requirement—Upper Beauharnois Lock (inland vessels only).
49. C.I.P. 6—leaving sector 2 .....	.....do	1. Name of Vessel. 2. Location.
50. C.I.P. 6—entering sector 1	Seaway Beauharnois, channel 14.	1. Name of vessel. 2. Location.
51. C.I.P. 5—order of passing through established ..	.....do	1. Name of vessel. 2. Location.
52. Exiting Lower Beauharnois Lock .....	.....do	1. Name of vessel. 2. Location. 3. Confirm harbor or river pilot requirement—St. Lambert. 4. Montreal Harbor Berth number (if applicable).
53. St. Nicholas Island .....	.....do	1. Name of vessel. 2. Location.
54. St. Lambert lock to C.I.P. 2—leaving sector 1 ....	.....do	1. Name of vessel. 2. Location.

SCHEDULE III TO SUBPART A—CALLING-IN TABLE—Continued

C.I.P. and checkpoint	Station to call	Message content
UPBOUND AND DOWNBOUND VESSELS		
55. Vessels departing from ports between mid-lake Ontario and Long Point, except vessels west-bound from a Lake Erie port and not transiting the Welland Canal.	Appropriate Seaway station for sector.	<ol style="list-style-type: none"> 1. Name of Vessel. 2. Location. 3. Manifested dangerous cargo: <ul style="list-style-type: none"> —nature and quantity —IMO classification —location where dangerous cargo is stowed. and if proceeding to Welland Canal, 4. Destination. 5. Drafts, fore and aft. 6. Cargo. 7. Pilot requirement: <ul style="list-style-type: none"> —Lake Erie if upbound or Lake Ontario if downbound.

(68 Stat. 93–96, 33 U.S.C. 981–990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95–474, 92 Stat. 1471)

[39 FR 10900, Mar. 22, 1974, as amended at 39 FR 27797, Aug. 1, 1974; 40 FR 11722, Mar. 13, 1975; 40 FR 25814, June 19, 1975. Redesignated at 42 FR 27588, May 31, 1977; 43 FR 25819, June 15, 1978. Further redesignated and amended at 45 FR 52381, Aug. 7, 1980; 47 FR 51125, Nov. 12, 1982; 48 FR 20692, May 9, 1983; 55 FR 48600, Nov. 21, 1990]

APPENDIX I TO SUBPART A—VESSEL DIMENSIONS

Structures are located at a number of Seaway locks which, when fully raised, overhang the lock wall at a given point, thereby limiting:

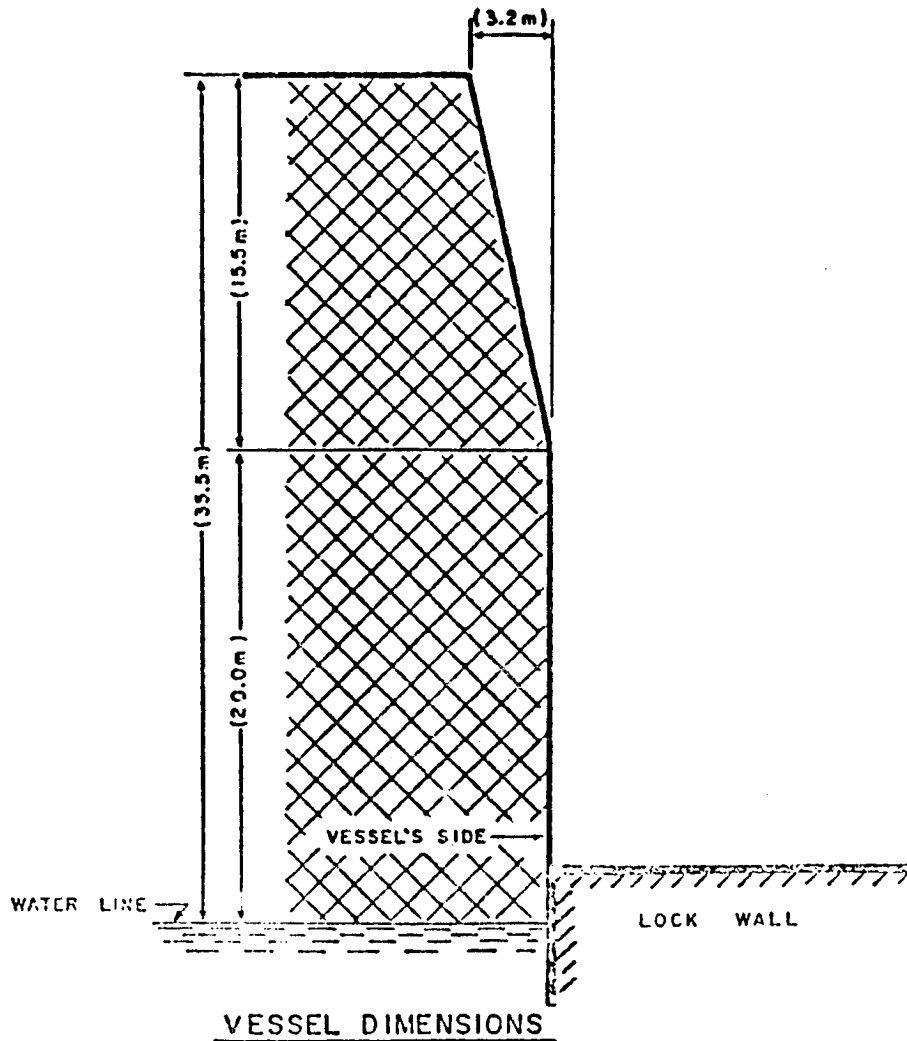
- (a) The height of a vessel above the water line measured at the vessel's side; and
- (b) The height of other structures that are located near the sides of the vessel, such as derricks, crosstrees, antennas, etc.

The following block diagram shows the limits beyond which a vessel's hull or super-

structure cannot extend *when the vessel is alongside the lock wall*.

The limits in the block diagram are based on vessels with a maximum allowable beam of 23.2 m. For vessels that have a beam width less than this and that have dimensions exceeding the limits of the block diagram (measured with the vessel alongside the lock wall), a special permission to transit must be obtained. (Accurate measurements may be required before such permission is granted).

Caution: Masters must take into account the ballast draft of the vessel when verifying the maximum permissible dimensions.



Block Diagram

N.B. Not to scale

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[45 FR 52381, Aug. 7, 1980, as amended at 49 FR 30936, Aug. 2, 1984; 61 FR 19552, May 2, 1996]

Subpart B—Penalties—Violations of Seaway Regulations

AUTHORITY: 33 U.S.C. 981-990, 1231 and 1232;
and 49 CFR 1.52.

§ 401.101 Criminal penalty.

(a) A person who willfully and knowingly violates a regulation shall be fined not more than \$50,000 for each violation or imprisoned for not more